THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.8024 of 2007

Date: 19.04.2007

Between:

Dr. Satyavathi.

....Petitioner

And

M/s. Sri Datri Mutually Aided co-op., Credit Society Limited and others.

....Respondents

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WRIT PETITION No.8024 of 2007

O R D E R:

The first respondent filed O.P.No.18 of 2006 before the A.P.Co-operative Tribunal, Warangal, against the petitioner and the second respondent, for recovery of certain amount. The recording of evidence in the O.P., is said to have been concluded. The first respondent filed I.A.No.39 of 2007 under Order XIV Rule 3 read with Section 151 C.P.C., with a prayer to receive certain documents. The petitioner opposed the application. Through its order, dated 03.04.2007, the trial Court allowed the I.A. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Co-operation.

The first respondent intended to file certain documents, such as agenda of a particular meeting of the society, minutes thereon, orders of the Divisional Co-operative Officer and bye-laws. None of the documents constitutes any private correspondence or is otherwise inadmissible in evidence. The first respondent explained

the reasons, on account of which he could not present the said documents along with the O.P. Further, the O.P. itself was filed hardly one year ago.

Learned counsel for the petitioner submits that if the documents are treated as part of record, the first respondent needs to be cross-examined in relation thereto. It is needless to observe that if any documents are introduced, at a later point of time, the concerned witnesses would have to be summoned, for the purpose of chief or cross examination.

For the foregoing reasons, the Writ Petition is disposed of, directing that it shall be open to the petitioner to cross-examine such witnesses, as are necessary, in relation to the documents, that are now received by the Court. It is also made clear that the witness, who speaks to the said documents, shall be liable to be cross-examined by the petitioner. There shall be no order as to costs.

19.04.2007

JSU